

# SENATE BILL REPORT

## ESSB 6535

---

---

As Passed Senate, February 14, 2002

**Title:** An act relating to the chemical dependency disposition alternative.

**Brief Description:** Authorizing a disposition outside the standard range for the chemical dependency disposition alternative for juvenile offenders.

**Sponsors:** Senate Committee on Human Services & Corrections (originally sponsored by Senator Hargrove).

**Brief History:**

**Committee Activity:** Human Services & Corrections: 1/31/02, 2/6/02 [DPS].

Passed Senate: 2/14/02, 48-0.

---

### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** That Substitute Senate Bill No. 6535 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Costa, Vice Chair; Carlson, Franklin, Hewitt, Kastama, Kohl-Welles, Long and Stevens.

**Staff:** Tony Rugel (786-7754)

**Background:** Currently, a judge may only order a juvenile into a chemical dependency disposition alternative (CDDA) if the judge can suspend local sanctions or, in a small number of cases, a sentence of 15 to 36 weeks confinement. There has been a concern raised by some judges and courts that not having the option of granting a "manifest justice up" and then suspending the sentence so a juvenile offender can complete a CDDA is denying juvenile offenders the opportunity for treatment and in some cases not providing the offender with the necessary motivation to complete the CDDA.

**Summary of Bill:** The courts are permitted to grant a manifest injustice upward and suspend the sentence so that a juvenile offender can be ordered to complete a chemical dependency disposition alternative. When the court grants a manifest injustice above the standard range, it is limited to a 52 week total confinement sentence.

**Appropriation:** None.

**Fiscal Note:** Requested on January 28, 2002.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** The bill will allow judges to be more responsive to juvenile offenders' needs.

**Testimony Against:** None.

**Testified:** William Knebes, Clallam County Superior Court (pro); Pete Peterson, Clallam County Juvenile Court (pro); Dan Erker, Pierce County Juvenile Court (pro); Cheryl Stephani, DSHS/JRA (pro).